

_____Published in the Wichita Eagle, **April 14, 2006**

ORDINANCE NO. **46-952**

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF **CONSTRUCTION OF SWS NO. 612, TO SERVE THE WATERFRONT ADDITION, North of 13th, East of Webb (468-83951/485-286).**

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas: construction of **SWS NO. 612, TO SERVE THE WATERFRONT ADDITION, North of 13th, East of Webb (468-83951/485-286)** and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$87,400.00** and that **\$87,400.00** be assessed against the improvement district, **\$0.00** be paid by the City at Large and **\$0.00** be paid by the Sewer Utility Fund, and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-05-130**, adopted **March 22, 2005** and published **March 28, 2005** be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
THAT PART LOTS 3-4 COMM NLY COR LOT 3 TH SE ALG CUR 33.53 FT SE 267.83 FT FOR BEG TH SE 343.61 FT TO PT 15.9 FT SE OF NLY MOST COR LOT 4 TH SW 73 FT NW 16.85 FT SW 410.75 FT W 46.75 FT TO W LI LOT 4 NWLY 81.98FT NW 63.4 FT NWLY 171.48 FT NE 15.72 FT E 140.15 FT N 38.08 FT E 11.47FT SE 74.87 FT NE 125.02 FT TO BEG BLOCK 1 WATERFRONT ADDITION	16,263.44
THAT PART LOTS 3-4 COMM NLY MOST COR LOT 4 SE 15.9 FT FOR BEG TH SE 19.38 FT TO CUR SELY ALG CUR 18.56 FT SW 80.43 FT TO CUR SWLY ALG CUR 102.34 FT SW 11.44 FT SE 324.17 FT WLY ALG CUR 94.71 FT TH NW 47.97 FT	22,792.64

TO CUR WLY ALG CUR 212.34 FT SW 43.03 FT WLY 87.11 FT SW 234.84 FT TO W LI LOT 4 NW 94.81 FT NE 109.93 FT NE 144.88 FT NE 76.94 FT E 46.75 NE 410.75 FT SE 16.85 FT NE 73 FT TO BEG BLOCK 1 WATERFRONT ADDITION	
THAT PART LOT 3 BEG NLY MOST COR TH SE ALG CUR 33.53 FT SE 267.83 FT SW 125.02 FT NW 74.87 FT W 11.47 FT S 38.08 FT W 140.15 FT TO W LI LOT 3 NE 53.6 FT N 82.64 FT NWLY 110.58FT TO BEG BLOCK 1 WATERFRONT ADDITION	2,631.43
THAT PART LOT 4 BEG SW COR NW 166.75 FT NE 234.84 FT ELY 87.11 FT NE 43.03 FT ELY ALG CUR 212.34 FT SELY 21.1 FT SW 95.8 FT SE 260.77FT TO S LI LOT 4 TH WLY ALG CUR 216.89 FT NWLY 332.18 FT TO BEG BLOCK 1 WATERFRONT ADDITION	19,368.25
THAT PART LOT 4 BEG SE COR SW 137.16 FT SW ALG CUR 123.91 FT NW 260.77 FT NE 95.8 FT SE 26.87 FT TO CUR NELY ALG CUR 138.48 FT TO CUR NELY ALG CUR 165.92 FT TH NE 38.59 FT TO E LI TH SW ALG CUR 301.51 FT TO BEG BLOCK 1 WATERFRONT ADDITION	14,016.69
THAT PART LOT 4 COMM NLY MOST COR SE 35.28 FT TO CUR SE ALG CUR 18.56 FT FOR BEG TH SELY ALG CUR 461.4 FT SW 38.59 FT SWLY ALG CUR 165.92 FT TH SWLY ALG CUR 43.77 FT NW 324.17 FT NE 11.44 FT TO CUR NELY ALG CUR 102.34 FT TH NE 80.43 FT TO BEG BLOCK 1 WATERFRONT ADDITION	12,327.55

SECTION 2. The amounts so levied and assessed as set forth in the foregoing Section 1 shall be due and payable from and after the date hereof at the Debt Management Section of the Finance Department. The owners of the properties will be given a period until 5:00 o'clock p.m. on **May 15, 2006**, during which the special assessments may be paid and the lien against the property for which the special assessment is paid shall thereupon be discharged and satisfied.

SECTION 3. That payment of said assessments may indefinitely be deferred against those property owners eligible for such deferral as provided in City of Wichita Ordinance No.

43-977.

SECTION 4. For any portion of the assessments which are not paid by the above specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed fifteen (15) years, will be issued as provided by K.S.A. 12-6a14 (c), and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate to be determined by the Governing Body (such rate not to exceed the maximum rate allowed by K.S.A. 10-1009, as amended) will be certified to the County Clerk of Sedgwick County, Kansas, for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made for the year **2006**.

SECTION 5. This ordinance shall take effect and be in force as of and on **April 14, 2006** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **April 11, 2006**.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk
(seal)

APPROVED AS TO FORM:

Gary Rebenstorf, Director of Law